

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
COURT FILE NO.: CV - \_\_\_\_\_**

Crystal Williams  
Plaintiffs,  
v.

Creditors Financial Group, LLC, and Ms.  
Nelson  
Defendants.

**COMPLAINT**

**JURY TRIAL DEMANDED**

**JURISDICTION AND VENUE**

1. Jurisdiction of this Court arises under 28 U.S.C. § 1331 and pursuant to 15 U.S.C. § 1692k(d), and pursuant to 28 U.S.C. § 1367 for pendent state law claims.
2. This action arises out of Defendants' violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. ("FDCPA"), violations of the Pennsylvania Fair Credit Extension Uniformity Act, 73 P.S. § 2270.1 et. seq. (FCEUA), and violations of the Pennsylvania Unfair Trade Practices and Consumer Protection Law, 73 P.S. § 201-1, et. seq., as well as other state law tort claims.
3. Venue is proper in this District because the acts and transactions occurred here, Plaintiff resides here, and Defendants transact business here in Pennsylvania.

**PARTIES**

4. Plaintiff Crystal Williams is a natural person who resides in the City of Philadelphia, County of Philadelphia, State of Pennsylvania, and is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).
5. Defendant Creditors Financial Group, LLC (hereinafter "Defendant" or "CFG"), is upon information or belief is a limited liability company with an address of 3131 South Vaughn Way, Suite 110, Aurora, Colorado 80014.

6. At all times relevant to this Complaint, Defendant CFG transacted business in the Eastern District of Pennsylvania and at other locations throughout the United States, operating as a collection agencies and as a “debt collectors” as that term is defined by 15 U.S.C. § 1692a(6).
7. Defendant Ms. Nelson (hereinafter “Defendant” or “Nelson”) is a natural person employed by Defendant as a collection agent and is a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6).
8. Defendant John Doe (hereinafter “Defendant” or “Doe”) is a natural person employed by Defendant as a collection agent and is a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6).

### **FACTUAL ALLEGATIONS**

9. Plaintiff Crystal Williams allegedly incurred a financial obligation that was primarily for personal, family or household purposes and is therefore a “debt” as that term is defined by 15 U.S.C § 1692a(5).
10. Williams allegedly became delinquent on said account and unable to make her monthly payments due to circumstances beyond her control.
11. Williams’ account was assigned, sold or otherwise transferred to Defendant CFG for collection.
12. In or around December 2006, Defendants began contacting Williams at her place of employment in an attempt to coerce payment of the alleged debt.
13. Upon information or belief, Defendants made several calls to Williams’ place of employment, in violation of multiple and numerous provisions of the FDCPA, including

but not limited to 15 U.S.C. §§ 1692b(1), 1692b(3), 1692c(a)(1), 1692c(a)(3), 1692d, and 1692f amongst others.

14. On or about December 28, 2006, Williams received a telephone call from Ms. Nelson, an agent/employee of CFG. During the call Nelson falsely and deceptively stated that she was an arbitrator with CFG legal services, in violation of multiple and numerous provisions of the FDCPA, including but not limited to 15 U.S.C. §§ 1692d, 1692e, 1692e(2), 1692e(3), 1692e(10) and 1692f amongst others.
15. In addition to the statement contained in the previous paragraph Nelson also stated that she was handling a case forwarded to her office for filing with the Philadelphia District County Court, in violation of multiple and numerous provisions of the FDCPA, including but not limited to 15 U.S.C. §§ 1692d, 1692e, 1692e(2), 1692e(3), 1692e(4), 1692e(5), 1692e(10) and 1692f amongst others.
16. During the December 28, 2006 call Nelson also stated that she was attempting to contact the police department, in violation of multiple and numerous provisions of the FDCPA, including but not limited to 15 U.S.C. §§ 1692d, 1692e, 1692e(2), 1692e(3), 1692e(4), 1692e(5), 1692e(7), 1692e(10) and 1692f amongst others.
17. Nelson then ended the call by requesting that Williams' return her call by 8 p.m. at 1-877-298-2251 extension 3338 and asking Williams to refer to case number 5361645-e40 when calling.
18. As a direct and proximate result of Defendants' illegal collection tactics and harassing and oppressive behavior Plaintiff has sustained actual damages in the form stress, fear, humiliation and embarrassment.

**TRIAL BY JURY**

19. Plaintiff is entitled to and hereby respectfully demands a trial by jury. US Const. amend.  
7. Fed. R. Civ. Pro. 38.

**CAUSES OF ACTION**

**COUNT I.**

**VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT**

**15 U.S.C. §1692 et seq.**

20. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.
21. The foregoing acts and omissions of these Defendants constitute numerous and multiple violations of the FDCPA, including but not limited to each and every one of the above-cited provisions of the FDCPA, 15 U.S.C. § 1692 et seq.
22. As a result of each and every Defendant's violations of the FDCPA, Plaintiff has suffered out-of-pocket expenses and actual damages, and is therefore entitled to actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages in an amount up to \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from each and every Defendant.

**COUNT II.**

**VIOLATIONS OF THE FAIR CREDIT EXTENSION UNIFORMITY ACT (FCEUA)**

**73 P.S. § 2270.1 et. seq.**

**AND THE PENNSYLVANIA UNFAIR TRADE PRACTICES AND CONSUMER**

**PROTECTION LAW (UTPCPL)**

**73 P.S. § 201-1 et. seq.**

23. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.
24. Defendants are “debt collectors” as defined by 73 P.S. § 2270.3 of the FCUEA.
25. Plaintiff is a “consumer” as defined by 73 P.S. § 2270.3 of the FCUEA.
26. All of the above contacts by Defendants were “communications” relating to a debt as defined by 73 P.S. § 2270.3 of the FCUEA.
27. The foregoing acts and omissions of these Defendants constitute numerous and multiple violations of the FCEUA and UTPCPL, including but not limited to 73 P.S. § 2270.4(a), as evidenced by the following conduct:
  - (a) Contacting third party on more than one occasion;
  - (b) Engaging in conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt;
  - (c) The use of false, deceptive or misleading representations or means in connection with the collection of a debt;
  - (d) The use of false representation or deceptive means to collect a debt or obtain information about a consumer;
  - (e) Threatening criminal prosecution; and
  - (f) The use of unfair or unconscionable means to collect or attempt to collect an alleged debt.
28. Defendants’ acts as described above were done with malicious, intentional, willful, reckless, wanton and negligent disregard for Plaintiffs’ rights under the law with the purpose of coercing Plaintiffs to pay the debt.

29. As a result of the of the above violations of the FCUEA and UTPCPL, Plaintiff has suffered ascertainable losses entitling her to an award of statutory, actual and treble damages and attorney's fees and costs.

**COUNT III.**

**INVASION OF PRIVACY BY INTRUSION UPON SECLUSION**

30. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.
31. Defendants intentionally interfered, physically or otherwise, with the solitude, seclusion and or private concerns or affairs of the Plaintiff.
32. Defendants intentionally caused harm to Plaintiff's emotional well being by engaging in highly offensive conduct in the course of collecting a debt, as described herein.
33. Plaintiff had a reasonable expectation of privacy in her solitude, seclusion, and or private concerns or affairs.
34. The intrusion by Defendants occurred in a way that would be highly offensive to a reasonable person in that position.
35. As a result of such invasions of privacy, Plaintiff is entitled to actual damages in an amount to be determined at trial from each and every Defendant.

**PRAYER FOR RELIEF**

**WHEREFORE,** Plaintiff prays that judgment be entered against each and every Defendant for:

**COUNT I.**

**VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT**

**15 U.S.C. §1692 et seq.**

- For an order declaring that the Defendants' actions as described above are in violation of the FDCPA;
- for an award of actual damages pursuant to 15 U.S.C. § 1692k(a)(1) against each and every Defendant;
- for an award of statutory damages of \$1,000.00 pursuant to 15 U.S.C. §1692k(a)(2)(A) against each and every Defendant;
- for an award of costs of litigation and reasonable attorney's fees pursuant to 15 U.S.C. § 1692k(a)(3) against each and every Defendant;

**COUNT II.**

**VIOLATIONS OF THE FAIR CREDIT EXTENSION UNIFORMITY ACT (FCEUA)**

**73 P.S. § 2270.1 et. seq.**

**AND THE PENNSYLVANIA UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION LAW (UTPCPL)**

**73 P.S. § 201-1 et. seq.**

- for an order declaring that the Defendants' actions as described above are in violation of the FCEUA and the UTPCPL;
- for an order be entered enjoining the defendants from continuing to communicate with Plaintiffs' in violation of the FCEUA and the UTPCPL;
- for an award of actual damages pursuant to 73 P.S. § 201-9.2(a) against each and every Defendant;

- for an award of statutory damages pursuant to 73 P.S. § 201-9.2(a) against each and every Defendant;
- for an award of treble damages pursuant 73 P.S. § 201-9.2(a) against each and every Defendant;
- for an award of costs of litigation and reasonable attorney's fees pursuant to 73 P.S. § 201-9.2(a)

### **COUNT III.**

#### **INVASION OF PRIVACY BY INTRUSION UPON SECLUSION**

- actual damages from each and every Defendant for the emotional distress suffered as a result of the FDCPA, FCUEA and UTPCPL violations and invasions of privacy in an amount to be determined at trial;
- punitive damages from each and every Defendant for the malicious, intentional, willful, reckless, wanton and negligent violations of the FDCPA, FCUEA and UTPCPL and invasions of privacy in an amount to be determined at trial;
- for such other and further relief as may be just and proper.

Respectfully submitted,  
**RAPA LAW OFFICE, P.C.**

Dated: February 16, 2007

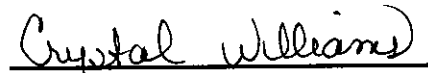
By: s/JR1052  
Jason M. Rapa, Esquire  
PA Attorney I.D. No. 89419  
141 S. 1<sup>st</sup> Street  
Lehigh, PA 18235  
Telephone (610) 377-7730  
Attorney for Plaintiff



**VERIFICATION OF COMPLAINT AND CERTIFICATION BY PLAINTIFF**

I, Crystal Williams, deposes and says as follows:

1. I am a Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.
6. I have provided my attorneys with true and correct copies of each and every exhibit which has \_\_\_\_\_  
been attached to this Complaint.
7. I have not altered, changed, modified, or fabricated the attached exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

  
Crystal Williams